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**THE HONORABLE BRIAN D. LYNCH
CHAPTER 13**

HEARING DATE: January 7, 2020

HEARING TIME: 1:00 P.M.

LOCATION: Vancouver, Washington

RESPONSE DATE: December 31, 2019

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**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

SHAYNE EDWARD MILES,

Debtor.

Case No.: 19-42865-BDL

NOTICE OF AND MOTION FOR DISMISSAL
PURSUANT TO 11 U.S.C. § 1307(c)

NOTICE

YOU ARE HEREBY NOTIFIED that a hearing on Trustee's Motion to Dismiss will be heard before the Honorable Brian D. Lynch at **1:00 P.M. on January 7, 2020**, at the Vancouver Federal Building, 500 West 12th, 2nd Floor, Vancouver, WA 98660.

IF YOU OPPOSE this motion, you must file your written response with the Court Clerk and deliver copies on the undersigned and all interested parties, **NOT LATER THAN THE RESPONSE DATE**, which is **December 31, 2019**. You should also appear at the time of hearing. If you fail to do so, the Court may enter an order granting the motion without any hearing and without further notice.

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MOTION

COMES NOW, Michael G. Malaier, the Chapter 13 Trustee and alleges as follows:

1. Debtor filed this case on **September 5, 2019**. The case has not been confirmed.
2. Pursuant to the proposed plan, Debtor is required to make plan payments of **\$3,200.00** per month. Debtor is presently delinquent in plan payments in the amount of **\$6,500.00**, supported by the Declaration filed herewith.
3. Debtor has defaulted under the terms of the Plan as follows: § 1307(c)(1) unreasonable delay by the debtor that is prejudicial to the creditors, § 1307(c)(4) failure to remit plan payments.

WHEREFORE the Trustee prays that this case be dismissed and closed.

DATED this 4th day of December, 2019 at Tacoma, Washington.



Matthew J.P. Johnson, WSBA# 40476 for
Michael G. Malaier, Chapter 13 Trustee